

**MINUTES**  
**EAGLE MOUNTAIN CITY COUNCIL MEETING**

**March 3, 2015**

**Work Session 5:00 p.m. Policy Session 7:00 p.m.**

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

**5:00 P.M. WORK SESSION – COUNCIL CHAMBERS**

**ELECTED OFFICIALS PRESENT:** Mayor Chris Pengra, Councilmembers Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland.

**CITY STAFF PRESENT:** Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Dave Norman, Public Works Director; Steve Mumford, Planning Director; Kent Partridge, Building Official; Linda Peterson, Public Information Director; Rand Andrus, Fire Chief; Eric McDowell, Sheriff's Deputy.

Mayor Pengra called the meeting to order at 5:06 p.m.

1. **CITY ADMINISTRATOR INFORMATION ITEMS** – This is an opportunity for the City Administrator to provide information to the City Council. These items are for information and do not require action by the City Council.

**A. Discussion – Ranches Parkway and Pony Express Parkway Irrigation System**

City Administrator Ifo Pili discussed the master irrigation system project for Ranches Parkway and Pony Express Parkway. Funds were approved for a system upgrade to remedy longstanding problems with overspray from sprinkler heads in the medians onto cars, as well as water run-off damaging the roads. After the design phase, an additional \$500,000 to \$1M will be required to rebuild the system or change the landscaping from grass to xeriscaping.

Parks and Recreation Department Director Brad Hickman stated that he estimated the cost of improving the medians on Pony Express Parkway at \$155,000, based on the rates charged for an irrigation system for a new median last year.

Councilmember Westmoreland asked if it would be less expensive to use sensors instead of timers. Mr. Hickman said the system is so fragmented that sensors would have to be purchased for every timer. Each timer should control 48 stations, but some wires are broken and those stations are battery-operated.

Mayor Pengra stated that the project involves other issues such as adequate watering for trees and high berms that obstruct drivers' views, as well as fact that Eagle Mountain is in a desert. The comprehensive approach has to address all those issues. There are a number of ways to approach it. The City can make a difference, but it can't solve the problem.

Mr. Hickman said there's between 350 and 400 valves in the medians on both those roads in The Ranches. Installing sensors for half of them, at \$70 apiece, would be expensive. It will help, but it won't solve the problem of water running onto the road. He would prefer a more comprehensive solution.

Councilmember Ireland asked how Pony Express Parkway will look in twenty years. City Engineer Chris Trusty stated that it is expected to be a four-lane road, possibly with a bike lane outside of the existing curb and gutter. There would still be landscaped islands in the roadway.

Planning Director Steve Mumford said the only way the islands were likely to be removed would be if mass transit were added to the roads.

Councilmember Steinkopf stated that the problem with xeriscaping is that it's often not done to beautify the area. Just putting down some colored rock and an occasional shrub isn't adequate. Mr. Hickman responded that the plan would be to replicate the xeriscaping in the median in Pony Express Parkway near Ridley's grocery store.

Councilmember Ireland asked if it would be practical to phase the project, starting with the medians that run the most water into the road. Mr. Hickman said that would work. It could also be phased to include the most recently improved areas first, so those newly-surfaced roads won't fail.

Mayor Pengra asked for specific figures. Mr. Hickman said that Pony Express Parkway would cost \$155,000, based on \$4.50/sq ft. Ranches Parkway would cost \$875,000 because the medians are much bigger. The rate doesn't include dirt work. It also doesn't include the medians along Pony Express Parkway that have no turf.

Councilmember Steinkopf pointed out that xeriscaping will have maintenance costs, although they'll be less than maintenance costs for turf.

Mayor Pengra suggested that using \$150,000 from the proceeds of the utility sale on the landscaping would make a meaningful return to residents who have paid into the utility systems for years.

2. AGENDA REVIEW – The City Council will review items on the Consent Agenda and Policy Session Agenda.

#### 10. Bond Release – Sweetwater 4

City Engineer Chris Trusty requested that the bond release be removed from the agenda.

#### 11A. Pony Express Pipeline Change Order – VanCon

Public Works Director David Norman explained that the pipeline project is complete. The change order is due to unexpected costs. Underground work requires dealing with issues that can't be found by evaluations done above ground. In this case, the contractor found a large storm drain line at the intersection of Pony Express and Ranches Parkways that City employees were unaware of. They also weren't able to run the City line above the Kern River gas line as they had hoped, so the City line had to be redesigned. Other issues were encountered, as well. The Public Works Department negotiated the additional costs with the contractor, reducing the contractor's requested amount by \$30,000.

The issues found during this project will be added to the City's GIS records, so they won't cause problems in future projects. Mayor Pengra pointed out that this is one of the reasons the City invested in a GIS system and created a separate department for Engineering and GIS.

Even with the change order, the project is well under budget.

#### 11A. Pony Express Pipeline Change Order – Psomas

Psomas was the engineering firm on the project. Psomas incurred an extra \$3,950 in fees for City inspectors for the work that required the change order. The contractor reduced his fee by that amount and the City passed the funds through to Psomas. In addition, a project on Cedar Drive was added to the pipeline project. Combining the projects reduced the cost rather than bidding the project separately.

#### 12. Pony Express Pipeline Final Payment – VanCon

This project was funded through a State loan process. The process requires the City to bond. The State sets a low interest rate and guarantees the rate. It's a 15-20 year bond with no penalty for early payment. Post-construction issues are bonded under the one-year warranty. For example, three leaks and a defective valve were discovered in the line months after it was completed. There was no charge to the City to repair them. The re-seeding of the land hasn't been successful so far. The contractor is required to bring the land back to its original state or the City could pull the bond.

#### 13. Resolution Amending the Consolidated Fee Schedule

David Mortensen, City Treasurer, described the changes that needed to be made to the Consolidated Fee Schedule. Most are fees deleted due to the sale of the natural gas and electric systems. Other fees will be reduced because of the sale. The temporary power pedestal fee of \$175 will become a pedestal inspection fee of \$100. The inspection will be done by the Building Department. The \$25 power account reconnect/disconnect fee will be transferred to water disconnections and reconnections. The utility account deposit will be \$40, and will apply to any account opened in the City. Utility deposits used to be tied only to gas, electric and water accounts in the past. The late fee of \$25 or 1% of the delinquent balance will be decreased to \$15 or 1% of the delinquent balance. The \$75 fee for three-day temporary power will be decreased to \$50. There are also some changes clarifying wording that could have been stated more clearly.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION – The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation and the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

No Closed Executive Session was held.

The meeting was adjourned at 6:00 p.m.

### **7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS**

ELECTED OFFICIALS PRESENT: Mayor Chris Pengra, Councilmembers Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland.

CITY STAFF PRESENT: Ifo Pili, City Administrator; Paul Jerome, Assistant City Administrator/Finance Director; David Mortensen, City Treasurer; Jeremy Cook, City Attorney; Fionnuala Kofoed, City Recorder; Melanie Lahman, Deputy City Recorder; Dave Norman, Public Works Director; Steve Mumford, Planning Director; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sheriff's Deputy.

4. CALL TO ORDER

Mayor Pengra called the meeting to order at 7:06 p.m.

5. PLEDGE OF ALLEGIANCE

Boy Scout Troop 1250 presented a flag ceremony.

6. INFORMATION ITEMS/UPCOMING EVENTS

- **Utilities Sale Closing** – Final signing for the gas and electric utilities sale will occur tomorrow at 9:00 a.m.
- **Spring Soccer and Baseball Registration** – Regular registration for youth spring soccer and baseball is available through tomorrow. Late registration is available through March 13. Please check the City website, Recreation tab for program details and online registration.

7. PUBLIC COMMENTS – Time has been set aside for the public to express their ideas, concerns and comments.

Bekah DeMordaunt introduced herself as a District Representative for Rep. Mia Love. Rep. Love recently opened her district office in West Jordan. Members of her staff plan to attend City Council meetings as often as possible, quarterly or at least bi-annually. Rep. Love hosted a tele-town hall meeting, taking questions on various Congressional issues. The House passed legislation that would repeal Obamacare, and several committees are working on plans to replace Obamacare. The Senate did not pass the bill. Rep. Love would like to see Obamacare repealed and replaced by other legislation regarding health care. Rep. Love supported a Keystone Pipeline bill that was vetoed by Pres. Obama. She is a proponent of returning control of education to state and local authorities and is supporting legislation prohibiting using Federal funds to promote the Common Core education standards.

8. CITY COUNCIL/MAYOR'S ITEMS – Time has been set aside for the City Council and Mayor to make comments.

Councilmember Steinkopf

Councilmember Steinkopf was happy to see the Boy Scouts at the meeting. He reminded everyone that Daylight Savings time begins on March 8.

Councilmember Burnham

Councilmember Burnham thanked the Boy Scouts for coming. She appreciated the service Boy Scouts provide to the community.

Councilmember Ireland

Councilmember Ireland commended the Boy Scouts who presented the flag ceremony. It was very well done. He appreciated the respect they showed during the flag ceremony

Councilmember Westmoreland

Councilmember Westmoreland welcomed everyone to the meeting and thanked them for being here.

Councilmember Bradley

Councilmember Bradley thanked the Boy Scout leaders for their hard work and for bringing the boys to the meeting. He thanked Ms. DeMordaunt for the update from Rep. Love's office.

Mayor Pengra

Mayor Pengra asked one of the Boy Scouts what troop he was from and what merit badge he was working on. He thanked the Boy Scouts for coming. He announced the signing of the utility sale agreements tomorrow, which concludes a long process of hard work for City staff and the City Council.

**CONSENT AGENDA**

9. MINUTES

- A. February 17, 2015 – Regular City Council Meeting

10. BOND RELEASE – Into Warranty

- A. Sweetwater, Phase 4

11. CHANGE ORDER

- A. Pony Express Pipeline Project – VanCon Construction Company  
B. Engineering and Construction Management Services for the Pony Express Pipeline Project – PSOMAS Engineers

12. FINAL PAYMENT

- A. Pony Express Pipeline Project– VanCon Construction Company

**MOTION:** *Councilmember Ireland moved to approve the Consent Agenda, removing item 10A. Councilmember Bradley seconded the motion. Those voting yes: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

**SCHEDULED ITEMS**

13. RESOLUTION – Consideration of a Resolution of Eagle Mountain City, Utah, Amending the Consolidated Fee Schedule.

The Consolidated Fee Schedule is being amended to remove fees associated with electric and gas services, since the two utility systems are in the process of being sold to Rocky Mountain Power and Questar Gas. The Building Department will perform the inspection for all temporary electrical power pedestals. The fee associated with temporary electrical power pedestals will be reduced from \$175 to \$100, since the City will no longer install the temporary pedestals. The effective date of the Resolution will be the closing date of the sale.

**MOTION:** *Councilmember Ireland moved to adopt a Resolution of Eagle Mountain City, Utah, amending the Consolidated Fee Schedule. Councilmember Burnham seconded the motion. Those voting yes: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

14. BID AWARD – Consideration and Award of Bid for an Elevator for the Energy Building.

This item was presented by City Engineer Chris Trusty. The proposed bid award is for the installation of an elevator in the Energy building. The basement of the building is being finished to accommodate some additional office space for City staff with the sale of the Public Works building to Rocky Mountain Power. This item was tabled from the February 6, 2015 City Council meeting.

**MOTION:** *Councilmember Burnham moved to award a bid to Schindler in the amount of \$52,000 to provide and install an elevator in the Energy building. Councilmember Steinkopf seconded the motion. Those voting yes: Adam Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.*

15. CITY COUNCIL/MAYOR'S BUSINESS – This time is set aside for the City Council's and Mayor's comments on City business.

Councilmember Steinkopf

No comment.

Councilmember Burnham

No comment.

Councilmember Ireland

No comment.

Councilmember Westmoreland

No comment.

Councilmember Bradley

No comment.

Mayor Pengra

No comment.

16. CITY COUNCIL BOARD LIAISON REPORTS – This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

Councilmember Ireland reported that the Youth City Council needs advisors.

Councilmember Westmoreland stated that Planning Commission is running smoothly.

17. COMMUNICATION ITEMS

- A. Upcoming Agenda Items
- B. Financial Report

18. ADJOURNMENT

**MOTION:** *Councilmember Ireland moved to adjourn the meeting at 7:26 p.m. Councilmember Westmoreland seconded the motion. Those voting yes: Adam*

***Bradley, Donna Burnham, Ryan Ireland, Richard Steinkopf and Tom Westmoreland. The motion passed with a unanimous vote.***

APPROVED BY THE CITY COUNCIL ON MARCH 17, 2015.



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Fionnuala B. Kofoed, MMC  
City Recorder